

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

APPROXIMATELY \$448,157.39 SEIZED
FROM BANK OF AMERICA ACCOUNT
NUMBER 325175831591,

Defendant.

Case No. 2:23-cv-01328-TLN-JDP

ORDER

Plaintiff's motion for entry of default judgment was submitted for decision without oral argument by the magistrate judge on February 12, 2024. (ECF No. 12.) The matter was referred to a United States Magistrate Judge pursuant to Local Rule 302(c)(19) and 28 U.S.C. § 636(b)(1).

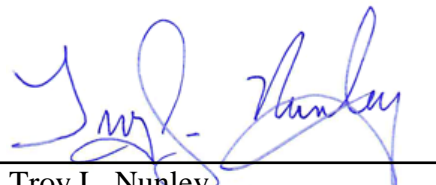
On February 16, 2024, the magistrate judge filed findings and recommendations herein which contained notice to the parties that any objections to the findings and recommendations were to be filed within fourteen days. (ECF No. 13.) The time to file objections has passed and Plaintiff did not file any objections.

The Court presumes that any findings of fact are correct. *See Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed *de novo*. *See Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007) ("[D]eterminations of law by the magistrate judge are reviewed de novo by both the district court and [the appellate] court"). Having reviewed the file, the Court finds the findings and recommendations to be supported by the record and by the proper analysis.

Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations, filed February 16, 2024 (ECF No. 13), are ADOPTED IN FULL;
2. The Motion for Default Judgment, filed February 12, 2024 (ECF No. 12) is GRANTED. The Court holds Kiko's Creations and Banes General Contractors, Inc. in DEFAULT;
3. Judgment by default is ENTERED against any right, title, or interest of potential claimants Kiko's Creations and Banes General Contractors, Inc. in the Defendant funds referenced in the above caption;
4. A final judgment is ENTERED, forfeiting all right, title, and interest in the Defendant funds to the United States, to be disposed of according to law; and
5. The Clerk of Court is directed to close this case.

Date: April 19, 2024


Troy L. Nunley
United States District Judge